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ABSTRACT

This presidential executive order was issued to: (1) ensure that tribal colleges and universities are more fully recognized as accredited institutions of higher education, have access to opportunities afforded other such institutions, and have federal resources committed on a continuing basis; (2) establish a mechanism to increase accessibility of Federal resources in tribal communities; (3) promote access to educational opportunities for economically disadvantaged students; (4) promote preservation and revitalization of American Indian and Alaska native languages and cultural traditions; (5) seek innovative approaches to link tribal colleges with early childhood, elementary, and secondary education programs; (6) and support National Education Goals. The Order defines tribal colleges and universities as those institutions cited in Section 532 of the Equity in Education Land-Grant Status Act of 1994, plus those that qualify for funding under the Tribally Controlled Community College Assistance Act of 1978 and the Navajo Community College, authorized in the Navajo Community College Assistance Act of 1978. It establishes a Board of Advisors and delineates its role and establishes an Office of House Initiative to provide staff support for the Board and provide liaison between the tribal college and the executive branch. The Order also defines department and agency participation and establishes a 5-year federal plan to fulfill the purpose of the Order. (CH)

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Executive Order

Tribal Colleges and Universities

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Executive Order

Tribal Colleges and Universities

By the authority vested in me as President by the Constitution and laws of the United States of America, in reaffirmation of the special relationship of the Federal Government to American Indians and Alaska Natives, and, for the purposes of helping to: (a) ensure that tribal colleges and universities are more fully recognized as accredited institutions, have access to the opportunities afforded other institutions, and have Federal resources committed to them on a continuing basis; (b) establish a mechanism that will increase accessibility of Federal resources for tribal colleges and universities in tribal communities; (c) promote access to high- quality educational opportunity for economically disadvantaged students; (d) promote the preservation and the revitalization of American Indian and Alaska Native languages and cultural traditions; (e) explore innovative approaches to better link tribal colleges with early childhood, elementary, and secondary education programs; and (f) support the National Education Goals (20 U.S.C. 5812), it is hereby ordered as follows:

Section 1. Definition of Tribal Colleges and Universities. Tribal colleges and universities ("tribal colleges") are those institutions cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note), any other institution that qualifies for funding under the Tribally Controlled Community College Assistance Act of 1978, (25 U.S.C. 1801 et seq.), and Navajo Community College, authorized in the Navajo Community College Assistance Act of 1978, Public Law 95-471, title II (25 U.S.C. 640a note).

Sec. 2. Board of Advisors.

a. Establishment. There shall be established in the Department of Education a Presidential advisory committee entitled the President's Board of Advisors on Tribal Colleges and Universities ("Board"). Notwithstanding the provisions of any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App.), with respect to the Board, shall be performed by the Secretary of Education ("Secretary"), in accordance with the guidelines and procedures established by the Administrator of General Services.

b. Composition. The Board shall consist of not more than 15 Members who shall be appointed by the President. The Board shall include representatives of tribal colleges. The Board may also include representatives of the higher, early childhood, elementary, and secondary education communities; tribal officials; health, business, and financial institutions; private foundations; and such other persons as the President deems appropriate. Members of the Board will serve terms of 2 years and may be reappointed to additional terms. A Member may continue to serve until his or her successor is appointed. In the event a Member fails to serve a full term, an individual appointed to replace that Member will serve the remainder of that term. All terms will expire upon the termination of the Board.

c. Role of Board. The Board shall provide advice regarding the progress made by Federal agencies toward fulfilling the purposes and objectives of this order. The Board shall also provide recommendations to the President and the Secretary at least annually on ways tribal colleges can:

1. utilize long-term development, endowment building, and master planning to strengthen

institutional viability;

2. utilize the Federal and private sector to improve financial management and security, obtain private sector funding support, and expand and complement Federal education initiatives;

3. develop institutional capacity through the use of new and emerging technologies offered by both the Federal and private sectors;

4. enhance physical infrastructure to facilitate more efficient operation and effective recruitment and retention of students and faculty; and

5. help achieve National Education Goals and meet other high standards of education accomplishment.

d. Scheduled Meetings. The Board shall meet at least annually to provide advice and consultation on tribal colleges and relevant Federal and private sector activities, and to transmit reports and present recommendations.

Sec. 3. Office of White House Initiative. There shall be established in the Department of Education the White House Initiative on Tribal Colleges and Universities ("Initiative"). The Initiative shall be authorized to:

a. provide the staff support for the Board;

b. assist the Secretary in the role of liaison between the executive branch and tribal colleges;

c. serve the Secretary in carrying out the Secretary's responsibilities under this order; and

d. utilize the services, personnel, information, and facilities of other Federal, State, tribal, and local agencies with their consent, and with or without reimbursement, consistent with applicable law. To the extent permitted by law and regulations, each Federal agency shall cooperate in providing resources, including personnel detailed to the Initiative, to meet the objectives of the order.

Sec. 4. Department and Agency Participation. Each participating executive department and agency (hereinafter collectively referred to as "agency"), as determined by the Secretary, shall appoint a senior official, who is a full-time officer of the Federal Government and who is responsible for management or program administration, to serve as liaison to the White House Initiative. The official shall report directly to the agency head, or agency representative, on agency activity under this order and serve as liaison to the White House Initiative. To the extent permitted by law and regulation, each agency shall provide appropriate information in readily available formats requested by the White House Initiative staff pursuant to this order.

Sec. 5. Five-Year Federal Plan.

a. Content. Each agency shall, in collaboration with tribal colleges, develop and document a Five-Year Plan of the agency's efforts to fulfill the purpose of this order. These Five-Year Plans shall include annual performance indicators and appropriate measurable objectives for the agency. The plans shall address among other relevant issues:

1. barriers impeding the access of tribal colleges to funding opportunities and to participation in Federal programs, and ways to eliminate the barriers;

2. technical assistance and information that will be made available to tribal colleges regarding the program activities of the agency and the preparation of applications or proposals for grants, cooperative agreements, or contracts; and

A. grants, cooperative agreements, contracts, and procurement;

B. related excess property-type acquisitions under various authorities such as section 923 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2206a) and the Federal Property and Administrative Services Act of 1949, chapter 288, 63 Stat. 377 (codified as described at 40 U.S.C. 471 note); and

C. the transfer of excess and surplus Federal computer equipment under Executive Order 12999.

In developing the Five-Year Plans required by this order, agencies shall strive to include tribal colleges in all aspects and activities related to the attainment of the participation goals described in Executive Order 12928, "Promoting Procurement with Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals, Historically Black Colleges and Universities, and Minority Institutions." The Plans may also emphasize access to high-quality educational opportunity for economically disadvantaged Indian students; the preservation and revitalization of American Indian and Alaska Native languages and cultural traditions; innovative approaches to better link tribal colleges with early childhood, elementary, and secondary education programs; and the National Education Goals.

b. Submission. Each agency shall submit its Five-Year Plan to the White House Initiative Office. In consultation with the Board, the White House Initiative Office shall then review these Five-Year Plans and develop an integrated Five-Year Plan for Assistance to Tribal Colleges, which the Secretary shall review and submit to the President. The Five-Year Plan for Assistance to Tribal Colleges may be revised within the 5-year period.

c. Annual Performance Reports. Each agency shall submit to the White House Initiative Office an Annual Performance Report that shall measure each agency's performance against the objectives set forth in its Five-Year Plan. In consultation with the Board, the White House Initiative Office shall review and combine Annual Performance Reports into one annual report, which shall be submitted to the Secretary for review, in consultation with the Office of Management and Budget.

Sec. 6. Private Sector. In cooperation with the Board, the White House Initiative Office shall encourage the private sector to assist tribal colleges through increased use of such strategies as:

a. matching funds to support increased endowments;

b. developing expertise and more effective ways to manage finance, improve information systems, build facilities, and improve course offerings; and

c. increasing resources for and training of faculty.

Sec. 7. Termination. The Board shall terminate 2 years after the date of this Executive order unless the Board is renewed by the President prior to the end of that 2-year period.

Sec. 8. Administration.

a. Compensation. Members of the Board shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701-5707).

b. Funding. The Board and the Initiative shall be funded by the Department of Education.

c. Administrative Support. The Department of Education shall provide appropriate administrative services and staff support for the Board and the Initiative. With the consent of the Department of Education, other agencies participating in the Initiative shall provide administrative support to the White House Initiative Office consistent with statutory authority and shall make use of section 112 of title 3, United States Code, to detail agency employees to the extent permitted by law. The

Board and the White House Initiative Office shall have a core staff and shall be supported at appropriate levels.

WILLIAM J. CLINTON

THE WHITE HOUSE,
October 19, 1996.

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